

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY  
WASHINGTON BOROUGH COUNCIL MINUTES – July 02, 2013**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 7:00 P.M.

Mayor McDonald read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law, 1975, Chapter 231’ have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of Borough Hall stating the time, place and purpose of the meeting as required by law.”

Mayor McDonald led everyone in the flag salute.

Roll Call: Jewell, McDonald, Thompson, Conry, Torres, Higgins,  
Gleba (Arrived at 7:05pm)

Also Present: Kristine Blanchard, Manager/Borough Clerk

**MINUTES:**

**Regular Meeting – May 21, 2013**

Motion made by Higgins, seconded by Thompson to approve the minutes of May 21, 2013.

Ayes: 6, Nays: 0  
Motion Carried

**AUDIENCE:**

Hearing no comments from the audience a motion was made by Higgins, seconded by Conry, to close the audience portion of the meeting.

Ayes: 6, Nays: 0  
Motion Carried

**REPORTS:**

A motion was made by Torres, seconded by Jewell to receive and file the following reports:

1. Manager’s Report

Council Discussion:

Mayor McDonald stated that the paving in front of his house is wonderful and his neighbors are exceptionally pleased.

Ayes: 6, Nays: 0  
Motion Carried

**COUNCIL COMMITTEE REPORTS:**

Streets and Roads Committee:

Councilman Jewell stated that the committee met briefly this evening. There are some storm drains on Belvidere Avenue that are not draining properly. The committee will take a look at those drains. The committee also discussed the yellow lines on Prospect Street. Councilman Jewell notes that Council would have to re-introduce the ordinance to satisfy the residents in that area. Possibly no parking signs can be put up in the meantime. Mayor McDonald believes there should be some parking in that area. Councilman Jewell noted that both the Belvidere Avenue and Prospect Street issues will be looked into by the committee. Councilman Thompson asked if it was possible to get the speed radar back on Belvidere Avenue which is currently on Miller Street. Manager Blanchard said she can make that request with the Washington Township Police.

**OLD BUSINESS:**

Amendment to Recreation Commission By-Law Proposal

Councilwoman Gleba stated that the Recreation Commission had proposed an amendment to their By-Laws which failed at the last meeting. Councilwoman Gleba received additional information on the topic and would like to propose that the Recreation Director and Recreation Secretary be offered a free pool pass only, not the additional free programs as originally requested.

A motion was made by Gleba, seconded by Jewell to amend the Recreation By-Laws to allow for a free pool pass for the Recreation Director and Recreation Secretary.

Council Discussion:

Councilman Higgins asked if the amount of the pool pass needed to be claimed as income on a W-9. Manager Blanchard stated that she thought anything over six hundred dollars had to be claimed but she will verify with CFO Turchan. Mayor McDonald added that Council can have CFO Turchan give the Recreation Director and the Recreation

Secretary a letter that this incentive may potentially need to be claimed as income taxes and please consult with their tax advisor and it's their responsibility.

Roll Call: Gleba, Torres, McDonald, Thompson, Conry, Jewell,  
Higgins  
Ayes: 5, Nays: 2 (Torres, Thompson)  
Motion Carried

**NEW BUSINESS:**

Resolution #139-2013 – Approval of Revenue – Green Communities (Shade Tree)

**RESOLUTION #139-2013**

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND  
APPROPRIATIONS NJSA 40A: 4-87**

**WHEREAS**, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount,

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$3,000.00 which is now available from the State of New Jersey, Department of Environmental Protection

**BE IT FURTHER RESOLVED**, that the like sum of \$3,000.00 is hereby appropriated under the caption of Other Expenses – Green Communities.

Resolution #139-2013 was moved on a motion made by Higgins, seconded by Jewell and approved.

Roll Call: Gleba, Torres, McDonald, Thompson, Conry, Jewell,  
Higgins  
Ayes: 7, Nays: 0  
Motion Carried

**VOUCHERS:**

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$612,702.47

Council Discussion:

Councilwoman Gleba questioned the charges on page two payable to Finelli Consulting for BID park engineering services. Manager Blanchard replied that it is for the BID park. Andrew Holt as the previous Municipal Engineer did most of the work but Finelli Consulting did a review. Councilman Torres asked about the thirty five dollar charge payable to Atco International. Manager Blanchard said that is probably a shipping charge not a tax, but she will check and report back to Council. In regards to basketball referee charges on page 13, Councilman Thompson asked if there was a timeline that referees need to turn their vouchers in for payment. Manager Blanchard stated ideally the referees should turn them in as soon as possible but the Recreation Commission currently does not have a timeline. Manager Blanchard will discuss this issue with the Recreation Commission.

Motion made by Gleba, seconded by Conry and approved.

Roll Call: Gleba, Torres, McDonald, Conry, Thompson  
Ayes: 7, Nays: 0  
Abstain: Jewell – Fire Dept. & EMS  
Thompson – Fire Dept. & EMS  
Higgins – Fire Dept.

**MEETING RE-CAP:**

Manager Blanchard asked Council if anyone else plans on attending the annual convention and to let her know by August. Manager Blanchard will follow up on amending the ordinance for parking on Prospect Street and will look into possibly putting some no parking signs in the meantime. Manager Blanchard will request the speed radar sign for Belvidere Avenue from the Washington Township Police. Manager Blanchard will inform the Recreation Commission that Council has approved an amendment to their By-Laws if they are interested for the Recreation Director and Recreation Secretary to receive a free pool pass. This amendment comes with the condition that CFO Turchan will send them a letter that they need to contact their tax consultant because it may need to be claimed as income. Manager Blanchard will let Council know if the incentive does need to be claimed. Manager Blanchard will also find out from Recreation if the thirty five dollar charge from Atco International is for shipping. Finally, Manager Blanchard will discuss with the Recreation Commission the referee invoice lateness and have the Recreation Commission set a policy that all sports need to follow.

## **COUNCIL REMARKS:**

Mayor McDonald began by letting Council know that he was in contact with the Chief of the Washington Township Police this week and one arrest has been made in regards to the graffiti throughout town and the Chief anticipates more to follow. Chief McDonald also added that none of the tags are commonly known to be associated with gangs.

Councilman Torres wished everyone a Happy Fourth of July.

Councilwoman Gleba wished everyone a Happy Fourth of July as well. Councilwoman Gleba congratulated BID Director Sandi Cerami and the BID on the award they recently received. Ms. Cerami stated that there is a group called District Connect which connects the Business Improvement Districts in the area. The Washington BID was the recipient of an award for Best Overall Managed District in the Skylands Region as well as the Best Music Festival. This contest was great for everyone involved and it helps to put Washington on the map.

Councilman Higgins questioned if someone needs to be licensed to apply weed killer. Manager Blanchard replied that she has asked that question many times. It is her understanding that it is not the strength of weed killer that requires someone to be certified. Councilman Higgins asked Manager Blanchard to verify that it is allowed to be sprayed in public places. Councilman Higgins also added that the streets are done being paved and almost everyone seems to be pleased with the end result. The lines should be painted some time within the next two weeks. Councilman Higgins added that the Fourth of July seems to be the best day of the week with no rain in the forecast. So go out and enjoy the parade and the fireworks. Councilman Higgins asked about the status of the Tax Collector position. Manager Blanchard replied that Council will go into Executive Session to discuss that.

Councilman Jewell also stated that everyone should come out and celebrate the Fourth of July and get their flags out. Councilman Jewell added that he is pleased that the paving of the roads went off without a hitch and that hopefully the Borough gets more roads done next year.

Councilman Thompson also stated that everyone have a happy Fourth of July and be safe.

Mayor McDonald stated that there have been many issues with Paramount Properties. Manager Blanchard added that it started the other night at 2:00 a.m. with a phone call from the Washington Township Police Department stating that the windows were bowing out at 16 East Washington Avenue. The next morning, Manager Blanchard was on site along with the NJ State Construction Official and called Paramount Properties immediately. It was discovered that the façade of the building is coming down and adding weight to the bottom portion of the building. Immediately plans were put in place to remove that façade. There are two layers of façade on that building, both which need to come down. After many meetings and discussions, it has been determined that the

façade on the second and third floors of that building need to come down. Once that is done, it will be much safer for pedestrians on the sidewalk and street. Currently, the Washington Township Police Department is directing traffic and parking is restricted on either side of the street. Safety is Manager Blanchard's biggest concern. Once the facade is down, a determination will be made whether or not the building is structurally sound. Mayor McDonald added that when the Paramount representative came to the site he was definitely aware of the Mayor's unhappiness with the performance of Paramount Properties. Mayor McDonald and Manager Blanchard will make sure action is taken. Councilman Torres added that work on removing the façade has already begun. Manager Blanchard added that there are problems with other properties that Paramount Properties owns but this property is the number one priority.

**EXECUTIVE SESSION:**

Resolution #119-2013 Executive Session Authorization

A motion was made by Torres, seconded by Thompson, to go into Executive Session for personnel matters.

Ayes: 7, Nays: 0  
Motion Carried

**RESOLUTION # 119-2013**  
**RESOLUTION AUTHORIZING EXECUTIVE SESSION**

**WHEREAS**, the Open Public Meetings Act; *N.J.S.A. 10:4-6 et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

**WHEREAS**, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

**WHEREAS**, the Mayor and Council find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A. 40:4-12*; and

**WHEREAS**, the Mayor and Council will reconvene in public session at the conclusion of the executive session;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A. 40:4-12*:

\_\_\_\_\_A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public (Provision relied upon: \_\_\_\_\_);

\_\_\_\_\_A matter where the release of information would impair a right to receive funds from the federal government;

\_\_\_\_\_A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

\_\_\_\_\_A collective bargaining agreement, or the terms and conditions thereof (Specify contract: \_\_\_\_\_);

\_\_\_\_\_A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed; Real Estate Acquisitions

\_\_\_\_\_Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

\_\_\_\_\_Investigations of violations or possible violations of the law;

Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is: \_\_\_\_\_ personnel \_\_\_\_\_. The public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

\_\_\_\_\_Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: \_\_\_\_\_

\_\_\_\_\_ OR \_\_\_\_\_ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);

\_\_\_\_\_Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is: \_\_\_\_\_ the public

disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

\_\_\_\_\_ Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

**BE IT FURTHER RESOLVED** that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Borough Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion.

**BE IT FURTHER RESOLVED** that the Mayor and Council, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

A motion was made by Thompson, seconded by Torres, to go out of Executive Session.

Ayes: 7, Nays: 0  
Motion Carried

Hearing no further business, a motion made by Torres, seconded by Thomspon to adjourn the meeting at 7:35p.m.

\_\_\_\_\_  
Mayor Scott McDonald

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Kristine Blanchard, RMC Borough Clerk